

Message Text

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ACTION NEA-10

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AMEMBASSY DAMASCUS
AMEMBASSY JIDDA
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E.O. 11652: N/A
TAGS: SHUM,IS
SUBJECT: SUNDAY TIMES ALLEGATION OF ISRAELI TORTURE OF ARAB
PRISONERS

REF: LONDON 10138

1. THE GOVERNMENT PRESS OFFICE ISSUED THE FOLLOWING
BULLETIN ON JUNE 21 IN RESPONSE TO THE RECENT ARTICLE
IN THE SUNDAY TIMES WHICH ALLEGED THAT TORTURE WAS
ROUTINELY CARRIED OUT BY ISRAELI INTERROGATORS.

2. BEGIN TEXT: IN REPLY TO QUESTIONS BY CORRESPONDENTS,
THE SPOKESMAN FOR THE MINISTRY OF FOREIGN AFFAIRS TODAY
DENIED THE TRUTH OF THE ALLEGATIONS OF TORTURE MADE IN
THE LONDON 'SUNDAY TIMES.'

3. THE SPOKESMAN POINTED OUT THAT TORTURE BY ANY PERSON,
INCLUDING OF COURSE POLICE OR ARMY PERSONNEL, IS A CRIMINAL
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OFFENSE UNDER ISRAEL LAW.

4. FURTHERMORE, ANY CONFESSION EXTRACTED BY FORCE OR
EVEN BY THREAT OF FORCE IS INADMISSIBLE IN ISRAEL
COURTS. ALL DEFENDANTS IN COURTS, INCLUDING MILITARY
COURTS, ARE REPRESENTED BY LAWYERS OF THEIR OWN CHOICE
WHO ARE FREE TO OBJECT TO ANY CONFESSION PRESENTED BY

THE PROSECUTION.

5. THE TWO COMMUNIST LAWYERS REFERRED TO IN THE ARTICLE, ADVOCATE LANGER AND ADVOCATE TSEMAL, MAKE A PRACTICE OF INVARIABLY CLAIMING THAT EVERY STATEMENT MADE BY ANY OF THEIR CLIENTS WAS EXTRACTED BY FORCE. THESE CLAIMS, ALTHOUGH OFTEN PATENTLY ABSURD, MUST BE DECIDED UPON BY THE COURT BEFORE ACCEPTING THE EVIDENCE.

6. THE SLUR ON ISRAEL COURTS CONTAINED IN THE ARTICLE IS PERHAPS ONE OF THE MORE REPREHENSIBLE ASPECTS OF THE ARTICLE. LIKE ALL OTHER COURTS IN ISRAEL, MILITARY COURTS ARE BY ISRAEL LAW INDEPENDENT IN THEIR JUDICIAL FUNCTIONS AND IN FACT COMPOSED MAINLY OF PRIVATE LAWYERS, CALLED UP FOR RESERVE DUTY TO SERVE AS JUDGES.

7. THE 'SUNDAY TIMES' POINTS OUT THAT BECAUSE THESE OCCURRENCES ARE SAID TO HAPPEN BEHIND LOCKED DOORS IT IS DIFFICULT FOR THE PAPER TO PROVE THEIR EXISTENCE. IN FAIRNESS, THE PAPER SHOULD HAVE POINTED OUT THAT THE OPPOSITE IS EQUALLY TRUE. IT IS EXTREMELY DIFFICULT TO PROVE THAT SUCH THINGS DID NOT HAPPEN, EXCEPT BY DENIALS AND MEDICAL EVIDENCE. WHEN NO MEDICAL EVIDENCE EXISTS, THEY SIMPLY CLAIMED THAT THE METHOD USED DID NOT LEAVE MARKS.

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8. ISRAEL IS AN OPEN SOCIETY WITH AN INDEPENDENT JUDICIARY, FREE AND VOCAL PRESS, ACTIVE OPPOSITION PARTIES, AND IS UNDER THE SEARCHLIGHTS OF WORLD COMMUNICATIONS MEDIA. WE CAN ONLY REPEAT THAT WE HAVE NOTHING TO HIDE.

9. WHEN WE LEARNED THAT THE 'SUNDAY TIMES' WAS ABOUT TO PRINT THE ALLEGATIONS, THE PRESS OFFICER IN OUR EMBASSY ASKED THE PAPER FOR DETAILS SO THAT ISRAEL COULD INVESTIGATE AND PREPARE A REPLY. THE PAPER'S REPLY WAS THAT ONLY SOME OF THE PERSONS INVOLVED IN THE ALLEGATIONS WERE PREPARED TO GIVE THEIR NAMES. WE THEN REPLIED THAT WE WERE WILLING TO INVESTIGATE THOSE CASES ONLY. THE 'SUNDAY TIMES' DID NOT REPLY, REFRAINED FROM OBTAINING EVIDENCE ON THE MATTER FROM ISRAELI AUTHORITIES AND PRINTED AN ARTICLE BASED ON ARAB STATEMENTS ONLY. END TEXT.

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